



severance of any claim or action, or otherwise seek individual or distinct treatment of any claim or issue.

2. On or before January 17, 2006, the Served Defendants shall file and serve a consolidated brief of not longer than 40 pages in support of a motion to dismiss all or part of the First Amended Complaint. At the same time, individual Served Defendants may file and serve separate briefs of not longer than 5 pages relating specifically to issues unique to each of them.

3. Within 45 days from the date of electronic service of the Served Defendants' briefs in support of the motion to dismiss, Plaintiffs shall file and serve a consolidated brief of not longer than 40 pages in opposition to the Served Defendants' motion to dismiss all or part of the First Amended Complaint. At the same time, Plaintiffs will be entitled to file and serve briefs of not longer than 5 pages each in response to any Served Defendant-specific brief.

4. Within 30 days from the date of electronic service of Plaintiffs' brief in opposition to the motion to dismiss, the Served Defendants shall file and serve a consolidated reply brief of not longer than 20 pages in support of the Served Defendants' motion to dismiss all or part of the First Amended Complaint. At the same time, individual Served Defendants will be entitled to file and serve separate reply briefs of not longer than 3 pages relating specifically to issues unique to each of them.

5. Within 15 days from the date of electronic service of the Served Defendants' reply brief in support of the Served Defendants' motion to dismiss, Plaintiffs shall file a consolidated sur-reply(s) of not longer than 15 pages in opposition to the motion to dismiss all or part of the First Amended Complaint. At the same time, Plaintiffs will be entitled to file and serve sur-reply briefs of not longer than 3 pages each in response to any Served Defendant-specific reply briefs.

6. Pending the Court's decision on the motion to dismiss all or part of the First Amended Complaint, Plaintiffs shall have access to all documents previously produced, to date, by the Served Defendants in accordance with CMO 9. In addition, Plaintiffs shall have access to all deposition transcripts that have been generated in MDL 1456. No later than January 17, 2006, Plaintiffs, and all Served Defendants who have not previously done so, shall sign the Protective Order already entered by this Court. This Order shall not prevent any party from seeking document discovery from a non-party to the litigation. However, no other discovery shall be conducted in this case pending the Court's decision. The parties are not required to make the automatic disclosures described in Fed. R. Civ. P. 26(a)(1) until the Served Defendants' motion to dismiss has been adjudicated.

7. The costs of producing copies shall be at commonly available commercial copying prices.

A handwritten signature in cursive script, reading "Patti B. Saris", written in black ink.

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Patti B. Saris  
United States District Judge